

**CERTIFICATE OF FACSIMILE**

I hereby certify that this paper is being transmitted via facsimile to: Box Issue Fee; Commissioner for Patents; Washington, DC 20231, at facsimile number 703-746-4000 on Mar. 21, 2003.

James E. Mains

PATENT
7836XD

#8
Jpd/p
5/22/03

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Keith H. Baker et al. : Paper No.:
Serial No.: 10/007,449 : Group Art Unit: 1751
Filing Date: November 5, 2001 : Examiner: Tsoy
For: Compositions for Treating Shoes and Articles Employing Same

**REQUEST UNDER 37 C.F.R. 1.312 FOR ACKNOWLEDGEMENT OF
RECEIPT OF INFORMATION DISCLOSURE STATEMENT**

Box Issue Fee
Commissioner for Patents
Washington, DC 20231

Dear Sir:

Notices of Allowance and Allowability were issued in this application on February 10, 2003. While an Information Disclosure Statement was submitted upon the original filing of this application on November 5, 2001, Applicants have not received an Examiner-initialed copy of the Form PTO-1449 included with the Statement. Accordingly, Applicants request that an Examiner-initialed copy of the Form PTO-1449 from the Information Disclosure Statement be provided. For the Examiner's convenience, attached are copies of the Information Disclosure Statement and Form PTO-1449 as filed, together with a copy of the Utility Patent Application Transmittal submitted therewith, specifying inclusion of the Information Disclosure Statement.

Applicants also submit the following comments to clarify the attachments to the Notice of Allowability.

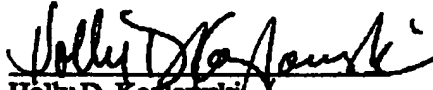
Match and Return

Page 1 of the Notice of Allowability correctly indicates that the allowed claims are 76-86. On the other hand, page 2, under the section entitled Allowable Subject Matter, indicates that claims 76-85 are allowed. As the Examiner goes on to indicate the basis for allowing claims 76 and 86, it is clear that the Allowable Subject Matter section should indicate that claims 76-86 are allowed.

The Notice of Allowability incorporates an Interview Summary which includes a description of the substance of the interview. The Examiner states that claims 57-73 and 75 are related to a non-selected invention. Applicants wish to clarify that claims 71-73 and 75 were directed to a non-elected invention.

Please charge any fee required in connection with this communication to Deposit Account No. 04-1133.

Respectfully submitted,


Holly D. Kozlowski
Registration No. 30,468
Dinsmore & Shohl LLP
1900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
(513) 977-8568

003638v1
9116-676



I hereby certify that this correspondence is being deposited with the United States Patent Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on Nov 5, 2001

Joyce Moore
Name

Joyce Moore
Signature

Case 7836XD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Divisional Application of :

KEITH HOMER BAKER, ET AL :

Parent Application

Serial No.: 09/693,224 :

Group Art Unit: 1755

Filed: November 5, 2001 :

Examiner:

Confirmation No.: :

For: Compositions For Treating Shoes and
Methods And Articles Employing Same

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO-1449 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO-1449 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☐ 37 C.F.R. §1.97(b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO
(2) OR (3) MARKED WITH AN (X) ABOVE.**

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97(b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

3

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☒ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. 7836X, U.S. Patent Application Serial No. 09/693,224, filed October 20, 2000. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☐ (2) Copies of the cited documents are enclosed.

OR

☐ (3) Copies of all said documents, except document No.'s _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s _____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s _____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☒ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ Additional information is attached.

Respectfully submitted,

By

Jeffrey Y. Hamber
Attorney for Applicants
Registration No. 31,148
(513) 627-4597

11/5, 2001
Customer No. 27752



Concise Explanation of Relevance of References That Are Not in The English Language

Japanese Patent Publication 63-288,187 is being cited because it relates to a shoe cleaning bag for a washing machine.

Japanese Patent Publication JP 2000 014965 is being cited because it relates to a bag for washing canvas shoes, and a method of washing canvas shoes in a washing machine. It was also cited in the International Search Report for the PCT equivalent of the pending application.

Brazilian Patent Publication 9 304 039 A is being cited because it relates to washing tennis shoes in a clothes washing machine, and also because it was cited in the International Search Report.